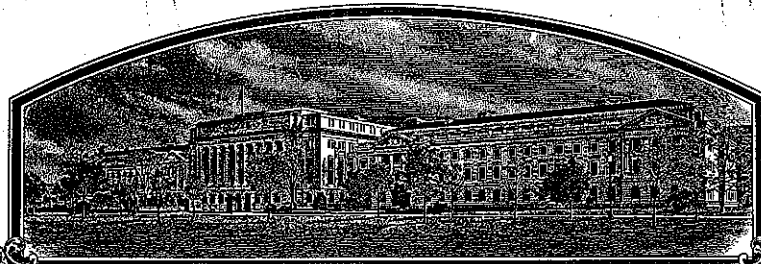


No.

200800383



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

West Bred, LLC

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'Carter'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-second day of January, in the year two thousand and nine.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

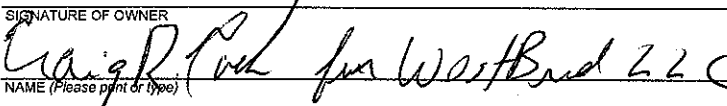
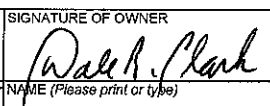
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER WestBred, LLC		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME BZ9W02-2060		3. VARIETY NAME Carter	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 81 Timberline Drive Bozeman, MT. 59718 USA		5. TELEPHONE (include area code) 406-587-1218		FOR OFFICIAL USE ONLY PVPO NUMBER #200800383 FILING DATE AUGUST 27, 2008	
		6. FAX (include area code) 406-586-8247			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Limited Liability Company		8. IF INCORPORATED, GIVE STATE OF INCORPORATION AZ		9. DATE OF INCORPORATION August 4, 2003	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Craig R. Cook Dale R. Clark 81 Timberline Drive Bozeman, MT. 59718				FILING AND EXAMINATION FEES: \$ 4,382.00 DATE 8/27/08 CERTIFICATION FEE: \$ 768.00 DATE 1/9/09	
11. TELEPHONE (include area code) 406-587-1218		12. FAX (include area code) 406-586-8247		13. E-MAIL ccook@westbred.com	
14. CROP KIND (Common Name) Wheat		16. FAMILY NAME (Botanical) Poaceae (alt. Graminae)		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input type="checkbox"/> NO			
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)				20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)	
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Exhibit F. Declaration Regarding Deposit g. <input checked="" type="checkbox"/> Voucher Sample (3,000 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) h. <input checked="" type="checkbox"/> Filing and Examination Fee (\$4,382), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)				<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO YES (If "yes", answer items 21 and 22 below) NO (If "no", go to item 23) UNDECIDED	
				21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
				22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)				24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.					
The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.					
Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER 				SIGNATURE OF OWNER 	
NAME (Please print or type) Craig R. Cook				NAME (Please print or type) Dale R. Clark PhD.	
CAPACITY OR TITLE Wheat Breeder		DATE 8/21/08		CAPACITY OR TITLE Director of Research	
				DATE Aug 21, 2008	

GENERAL INSTRUCTIONS: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be **received** in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E, F; (3) for a tuber reproduced variety, verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; and (4) payment by credit card or check drawn on a U.S. bank for \$4,382 (\$518 filing fee and \$3,864 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice). **NEW:** With the application for a seed reproduced variety **or by direct deposit soon after filing**, the applicant must provide at least 3,000 viable untreated seeds of the variety *per se*, and for a hybrid variety at least 3,000 untreated seeds of each line necessary to **reproduce** the variety. Partial applications will be held in the PVPO for not more than 90 days; then returned to the applicant as un-filed. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. **Retain one copy for your files.** All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a payment by credit card or check payable to "Treasurer of the United States" in the amount of \$768 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

Plant Variety Protection Office
Telephone: (301) 504-5518 **FAX:** (301) 504-5291
General E-mail: PVPOmail@usda.gov
Homepage: <http://www.ams.usda.gov/science/pvpo/PVPindex.htm>

SPECIFIC INSTRUCTIONS:

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and **provide evidence** that the permanent name of the application variety (even if it is a parental, inbred line) has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: U.S. Department of Agriculture, Agricultural Marketing Service, Livestock and Seed Programs, **Seed Regulatory and Testing Branch**, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054-2193 Telephone: (704) 810-8870. <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
 (2) the details of subsequent stages of selection and multiplication;
 (3) evidence of uniformity and stability; and
 (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
 (1) identify these varieties and state all differences objectively;
 (2) attach replicated statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

September 2007 USA

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

Hard Red Winter Wheat**19.a. Exhibit A. Origin and Breeding History**

Carter (BZ9W02-2060) is a common hard red winter wheat derived from the cross Jagger x Rampart. WestBred, LLC purchased facilities and germplasm from HybriTech in 2000. Included in this germplasm were 63 Doubled Haploid lines from which Carter was selected. These lines were planted near Bozeman, MT as single rows in the fall of 2000. Seed from these rows were harvested in August, 2001 and planted again in the fall of 2001, near Bozeman, MT as single plots. These plots were harvested in August, 2002. Based on quality evaluation of the harvested 2001 and 2002 seed, (test weight, % protein, SDS sedimentation) one harvested row was designated BZ9W02-2060. This line was yield tested from 2002 through 2007 (and evaluated for test weight, plant height, lodging resistance, winter hardiness, resistance to the Wheat Stem Saw Fly and bread making quality characters (Table 1). Carter has also been tested for end use quality (Table 2).

Heads were selected in August, 2003 from BZ9W02-2060 and planted as head rows in the fall of 2003. Uniform head rows were harvested in August, 2004. Seed from these rows were planted in the fall of 2004 in 5'x 15' plots, and observed for uniformity during the 2005 growing season. In August 2005, uniform plots were harvested and bulked to produce Breeder's Seed. This Breeder's seed was planted on approximately 3 acres in the fall of 2005 to produce Foundation seed. Foundation seed was planted in the fall of 2006 to produce Registered seed. Registered seed was planted in the fall of 2006. Certified seed was first available to growers in September, 2007.

A variant that is similar to Carter, but is 4 to 6 inches taller may occur at a frequency of up to .08% (8 per 10,000 plants). Also, a variant that is white chaffed also may occur at a frequency of .05% (5 per 10,000 plants) and a white seed variant may occur at a frequency of up to .1%(10 per 10,000 seeds). Otherwise Carter is a stable and uniform variety in agronomic appearance and performance across several generations and growing conditions.



"Carter"**Hard Red Winter Wheat****19.b Exhibit B. Statement of Distinctiveness**

Carter is most similar to the variety Bighorn. However, the chaff color Carter is red while chaff color of Bighorn is white. The above comparison along with the Complete Objective Description, exhibit C, shows Carter to be a novel variety of hard red winter wheat.

Table 1. Agronomic Characteristics of Carter compared to check varieties in Montana State University trials in 2005-2007.

Cultivar/Line		Heading Date from 1/1	Plant Height (inches)	Test Weight lbs/bu	Protein %	Yield bu/ac
		2005-2007	2005-2007	2005-2007	2005-2007	2005-2007
	location-years	24	24	24	24	24
	Carter	158.5	30.0	61.1	13.1	67.2
	CDC Falcon	158.1	30.5	60.6	12.3	71.0
	Genou	158.7	36.3	60.9	13.3	64.8
	Rampart	159.6	36.1	61.1	13.9	62.7

Table 2. 2006 Montana State University Mill and Bake Quality Data

VARIETY	CLASS	Wheat protein, % (12 m.b.)	Flour Yield %	Flour Protein%(14% m.b)	Wheat Ash, %	Flour Ash, %	Mixograph			Test Bake			Crumb Grain Score
							Tolerance	Mixing Time Min	Water Absorption%	Mixing Time Min	Water Absorption%	Loaf Volume	
Carter	HRW	13.6	70.7	12.2	1.37	0.45	4.0	5.8	65.1	10.4	76.4	1076	3.8
CDC Falcon	HRW	12.0	67.0	10.6	1.34	0.45	2.8	4.4	59.5	6.6	69.6	976	3.8
Genou	HRW	13.3	71.0	12.2	1.36	0.43	3.5	4.1	62.7	6.7	72.5	1073	4.0
Rampart	HRW	13.9	70.4	12.6	1.37	0.45	2.8	4.3	63.7	8.6	74.5	1064	4.0



According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

Exhibit C

OBJECTIVE DESCRIPTION OF VARIETY
Wheat (*Triticum* spp.)

NAME OF APPLICANT (S) West Bred, LLC	TEMPORARY OR EXPERIMENTAL DESIGNATION BZ9W02-2060	VARIETY NAME Carter
ADDRESS (Street and No. or RD No., City, State, Zip Code and Country) 81 Timberline Drive Bozeman, Mt. 59718 USA		FOR OFFICIAL USE ONLY PVPO NUMBER #200800383

PLEASE READ ALL INSTRUCTIONS CAREFULLY:

Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g., or) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: _____ Please answer all questions for your variety; lack of response may delay progress of your application.

1. KIND:

- 1 = Common
2 = Durum
3 = Club
4 = Other (Specify) _____

2. VERNALIZATION:

- 1 = Spring
2 = Winter
3 = Other (Specify) _____

3. COLEOPTILE ANTHOCYANIN:

- 1 = Absent 2 = Present

4. JUVENILE PLANT GROWTH:

- 1 = Prostrate 2 = Semi-Erect 3 = Erect

5. PLANT COLOR: (boot stage)

- 1 = Yellow-Green
2 = Green
3 = Blue-Green

6. FLAG LEAF: (boot stage)

- 1 = Erect 2 = Recurved

- 1 = Not Twisted 2 = Twisted

- 1 = Wax Absent 2 = Wax Present

7. EAR EMERGENCE:

Number of Days (Average)

Number of Days Earlier Than

Same As

Number of Days Later Than

*Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

8. ANTHOR COLOR:

- 1 = Yellow 2 = Purple

5

9. PLANT HEIGHT: (from soil to top of head, excluding awns)

076

cm (Average)

☐ ☐

cm Taller Than _____ *

Same As _____ *

12

cm Shorter Than

Yellowstone _____ *

10. STEM:

A. ANTHOCYANIN

1

1 = Absent 2 = Present

B. WAXY BLOOM

2

1 = Absent 2 = Present

C. HAIRINESS (last internode of rachis)

2

1 = Absent 2 = Present

D. INTERNODE

2

1 = Hollow 2 = Semi-Solid 3 = Solid

3

Number of Nodes

E. PEDUNCLE

1

1 = Erect 2 = Recurved 3 = Semi-Erect

28

cm Length

F. AURICLE

1

Anthocyanin: 1 = Absent 2 = Present

2

Hair: 1 = Absent 2 = Present

11. HEAD: (At Maturity)

A. DENSITY

2

1 = Lax
2 = Middense (Laxidense)
3 = Dense

B. SHAPE

1

1 = Tapering
2 = Strap
3 = Clavate
4 = Other (Specify) _____

C. CURVATURE

1

1 = Erect
2 = Inclined
3 = Recurved

D. AWNEDNESS

4

1 = Awnless
2 = Apically Awnletted
3 = Awnletted
4 = Awned

12. GLUMES: (At Maturity)

A. COLOR

3

1 = White
2 = Tan
3 = Other (Specify) Red _____

B. SHOULDER

4

1 = Wanting 2 = Oblique
3 = Rounded 4 = Square
5 = Elevated 6 = Apiculate
7 = Other (Specify) _____

C. SHOULDER WIDTH

2

1 = Narrow
2 = Medium
3 = Wide

D. BEAK

3

1 = Obtuse
2 = Acute
3 = Acuminate

E. BEAK WIDTH

2

1 = Narrow
2 = Medium
3 = Wide

F. GLUME LENGTH

2

1 = Short (ca. 7 mm)
2 = Medium (ca. 8 mm)
3 = Long (ca. 9 mm)

G. WIDTH

2

1 = Narrow (ca. 3 mm)
2 = Medium (ca. 3.5 mm)
3 = Wide (ca. 4 mm)

H. PUBESCENCE

1

1 = Not Present
2 = Present

13. SEED:

A. SHAPE

- ☒ 1 = Ovate
☐ 2 = Oval
☐ 3 = Elliptical

B. CHEEK

- ☒ 1 = Rounded
☐ 2 = Angular

C. BRUSH

- ☒ 1 = Short
☐ 2 = Medium
☐ 3 = Long
- ☒ 1 = Not Collared
☐ 2 = Collared

D. CREASE

- ☒ 1 = Width 60% or less of Kernel
☐ 2 = Width 80% or less of Kernel
☐ 3 = Width Nearly as Wide as Kernel

- ☒ 1 = Depth 20% or less of Kernel
☐ 2 = Depth 35% or less of Kernel
☐ 3 = Depth 50% or less of Kernel

E. COLOR

- ☒ 1 = White
☐ 2 = Amber
☐ 3 = Red
☐ 4 = Other (Specify) _____

F. TEXTURE

- ☒ 1 = Hard
☐ 2 = Soft
☐ 3 = Other (Specify) _____

G. PHENOL REACTION (See Instructions)

- ☒ 1 = Ivory
☐ 2 = Fawn
☐ 3 = Light Brown
☐ 4 = Dark Brown
☐ 5 = Black

H. SEED WEIGHT

- ☒ 30 g/1000 Seed (whole number only)

I. GERM SIZE

- ☒ 1 = Small
☐ 2 = Midsize
☐ 3 = Large

14. DISEASE: PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

(0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Stem Rust (<i>Puccinia graminis</i> f. sp. <i>tritici</i>) | <input type="checkbox"/> Leaf Rust (<i>Puccinia recondita</i> f. sp. <i>tritici</i>) |
| <input checked="" type="checkbox"/> Stripe Rust (<i>Puccinia striiformis</i>) | <input type="checkbox"/> Loose Smut (<i>Ustilago tritici</i>) |
| <input type="checkbox"/> Tan Spot (<i>Pyrenophora tritici-repentis</i>) | <input type="checkbox"/> Flag Smut (<i>Urocystis agropyri</i>) |
| <input type="checkbox"/> Halo Spot (<i>Selenophoma donacis</i>) | <input type="checkbox"/> Common Bunt (<i>Tilletia tritici</i> or <i>T. laevis</i>) |
| <input type="checkbox"/> Septoria nodorum (Glume Blotch) | <input type="checkbox"/> Dwarf Bunt (<i>Tilletia controversa</i>) |
| <input type="checkbox"/> Septoria avenae (Speckled Leaf Disease) | <input type="checkbox"/> Karnal Bunt (<i>Tilletia indica</i>) |
| <input type="checkbox"/> Septoria tritici (Speckled Leaf Blotch) | <input type="checkbox"/> Powdery Mildew (<i>Erysiphe graminis</i> f. sp. <i>tritici</i>) |
| <input type="checkbox"/> Scab (<i>Fusarium</i> spp.) | <input type="checkbox"/> "Snow Molds" |
| <input type="checkbox"/> "Black Point" (Kernel Smudge) | <input type="checkbox"/> Common Root Rot (<i>Fusarium</i> , <i>Cochliobolus</i> and <i>Bipolaris</i> spp.) |
| <input type="checkbox"/> Barley Yellow Dwarf Virus (BYDV) | <input type="checkbox"/> Rhizoctonia Root Rot (<i>Rhizoctonia solani</i>) |
| <input type="checkbox"/> Soilborne Mosaic Virus (SBMV) | <input type="checkbox"/> Black Chaff (<i>Xanthomonas campestris</i> pv. <i>translucens</i>) |
| <input type="checkbox"/> Wheat Yellow (Spindle Streak) Mosaic Virus | <input type="checkbox"/> Bacterial Leaf Blight (<i>Pseudomonas syringae</i> pv. <i>syringae</i>) |
| <input type="checkbox"/> Wheat Streak Mosaic Virus (WSMV) | <input type="checkbox"/> Other (Specify) _____ |
| <input type="checkbox"/> Other (Specify) _____ | <input type="checkbox"/> Other (Specify) _____ |
| <input type="checkbox"/> Other (Specify) _____ | <input type="checkbox"/> Other (Specify) _____ |
| <input type="checkbox"/> Other (Specify) _____ | <input type="checkbox"/> Other (Specify) _____ |

15. INSECT: (0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

- | | |
|--|--|
| <input type="checkbox"/> Hessian Fly (<i>Mayetiola destructor</i>) | <input type="checkbox"/> Other (Specify) _____ |
| <input checked="" type="checkbox"/> Stem Sawfly (<i>Cephus</i> spp.) | <input type="checkbox"/> Other (Specify) _____ |
| <input type="checkbox"/> Cereal Leaf Beetle (<i>Oulema melanopa</i>) | <input type="checkbox"/> Other (Specify) _____ |

15. INSECT: (continued) (0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

PLEASE SPECIFY BIOTYPE (Where Needed)

<input type="checkbox"/> Russian Aphid (<i>Diuraphis noxia</i>)	<input type="checkbox"/> Other (Specify) _____
<input type="checkbox"/> Greenbug (<i>Schizaphis graminum</i>)	<input type="checkbox"/> Other (Specify) _____
<input checked="" type="checkbox"/> Aphids	<input type="checkbox"/> Other (Specify) _____

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS:

8

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) WestBred, LLC	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER BZ9W02-2060	3. VARIETY NAME Carter
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 81 Timberline Drive Bozeman, Mt. 59718 USA	5. TELEPHONE (Include area code) 406-587-1218	6. FAX (Include area code) 406-586-8247
7. PVPO NUMBER #200800383		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.



YES



NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.



YES



NO

10. Is the applicant the original owner?



YES



NO

If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?



YES



NO

If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?



YES



NO

If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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Form Approved OMB NO 0581-0055

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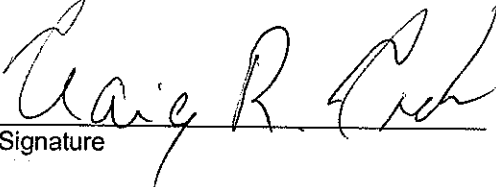
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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

EXHIBIT F
DECLARATION REGARDING DEPOSIT

NAME OF OWNER (S) WestBred, LLC	ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country) 81 Timberline Drive Bozeman, Mt. 59718	TEMPORARY OR EXPERIMENTAL DESIGNATION BZ9W02-2060
NAME OF OWNER REPRESENTATIVE (S) Craig R. Cook Dale R. Clark	ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country) 81 Timberline Drive Bozeman, Mt. 59718	VARIETY NAME Carter
		FOR OFFICIAL USE ONLY
		PVPO NUMBER #200800383

I do hereby declare that during the life of the certificate a viable sample of propagating material of the subject variety will be deposited, and replenished as needed periodically, in a public repository in the United States in accordance with the regulations established by the Plant Variety Protection Office.


Signature

8/21/08
Date